

REMARKS

Reconsideration and allowance of this application, as amended, is respectfully requested.

This Amendment is in response to the Office Action dated February 2, 2007.

Appreciation is expressed to the Examiner for the indication of allowable subject matter in claims 60-63. With regard to this, applicants are submitting herewith new claims 65-70, noting that new independent claim 65 corresponds to the original claim 60 re-written into independent form to include all limitations of its original parent claim 58. Claims 66-70 correspond to claims 59 and 61-64, except for their dependence on the new independent claim 65.

Also by the present Amendment, independent claim 58 has been amended to clarify distinctions of the invention defined therein. Claim 64 has been amended to correct the minor informality objected to in the claim objection found on page 2 of the Office Action. Therefore, removal of this claim objection is respectfully requested. In addition, the Abstract has been re-written to better correlate with the presently submitted claims (as well as to comply with the requirements for an Abstract noted in MPEP §608.01(b)). Also, the title suggested by the Examiner at the bottom of page 3 has been adopted.

Reconsideration and allowance of amended independent claim 58 and its dependent claims 59 and 64 over the primary reference to Kawashima (USP 6,621,213), whether considered alone or in combination with Eida (US Pub. 2001/0050532) is respectfully requested. By the present Amendment, claim 58 has been amended to define the drive layer formed on the organic EL Substrate and located between the organic EL substrate and first electrode. The claim has also

been amended to define that the auxiliary electrode is an auxiliary electrode of the second electrode to clarify the relationship between this auxiliary electrode and the first electrode formed on the same level. It is respectfully submitted that a careful comparison between the elements defined in the amended claim 58 and the elements shown in the Kawashima reference leads to a clear conclusion that the present claimed Invention represents a significantly different structure than that taught by Kawashima.

More specifically, in Kawashima, the electrode 4 and a transparent electrode 5 can be considered to correspond to the recited first electrode of independent claim 58. Similarly, the organic EL film 7 of Kawashima can be considered to correspond to the organic layer of the claimed invention. The metal electrode 8 of Kawashima can be considered to correspond to the second electrode of the claimed invention while the second electrode 11 of Kawashima can be considered to correspond to the auxiliary electrode defined in claim 58. However, independent claim 58 defines that the auxiliary electrode is formed on the same level as the first electrode. It is clear from a study of Kawashima that the combination of the electrode 4 and the transparent electrode film 5 of Kawashima (corresponding to the recited "first electrode") is clearly not on the same level as the second electrode 11 of Kawashima (corresponding to the "auxiliary electrode" of the claim 58). Therefore, the relationship required in the claim for the auxiliary electrode to be on the same level as the first electrode is clearly not taught or suggested by Kawashima. Further, nothing in the secondary reference to Eida teaches or suggests anything to suggest modification of Kawashima to arrive at the claim structure.

Accordingly, reconsideration and removal of the rejections based on Kawashima and Eida, and allowance of the amended independent claim 58 and its respective dependent claims is earnestly solicited.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 500.41280X00) and please credit any excess fees to such deposit account.

Respectfully submitted,
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